

AMENDMENTS TO THE DRAWINGS

Figures 3 and 4 are being resubmitted with the label "Amended".

REMARKS

Drawings

Figures 3 and 4 have been objected to as failing to comply with section (c) of 37 C.F.R. 1.173(b)(3). More specifically, the Examiner asserts that Figure 3, for example, should be labeled as "Amended FIG. 3."

In response, Applicant submits herewith Figures 3 and 4 labeled as "Amended".

Oath/Declaration

The Declaration has been objected to as not having a correct title.

In response, Applicant submits herewith a replacement Declaration having the correct title.

Consent

The application was allegedly filed without a proper Consent. It is the Examiner's position that the Consent does not identify the correct patent for which reissue is sought.

In response, Applicant submits herewith a replacement Consent.

Conclusion

Claims 1-18 are rejected under 35 U.S.C. 251 as being based upon a defective reissue for the reasons stated above.

All issues above have been addressed as discussed above, and thus reconsideration and withdrawal of this rejection are respectfully requested.

In view of the above, Applicant believes the pending application is in condition for allowance.

Application No. 09/783,183
Amendment dated July 29, 2009
Reply to Office Action of May 28, 2009

Docket No.: J0658.0027

In the event a fee is required or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the underpayment to Deposit Account No. 50-2215.

Dated: July 29, 2009

Respectfully submitted,

By Laura C. Brutman

Laura C. Brutman

Registration No.: 38,395
DICKSTEIN SHAPIRO LLP
1177 Avenue of the Americas
New York, New York 10036-2714
(212) 277-6500
Attorney for Applicant

Attachments